



275719

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BEVERIDGE & DIAMOND
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ONE BRIDGE PLAZA
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LAW OFFICES
BEVERIDGE & DIAMOND, P. C.
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1350 I STREET, N. W.
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Karl S. Bourdeau
(202) 789-6019
KBourdeau@bdlaw.com

(202) 789-6000

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February 28, 1997

Keenan Oil
2350 Seymour Avenue
Cincinnati, OH 45212

SKINNER LANDFILL SUPERFUND SITE

Dear Sir or Madam:

This firm represents a group of companies, including The Dow Chemical Company, Ford Motor Company, GE Aircraft Engines, Morton International, PPG Industries, Inc., and Velsicol Chemical Corporation (hereinafter "the Group"), in an action to be filed on their behalf in March 1997 in the United States District Court for the Southern District of Ohio. The Group consists of companies that have incurred response costs associated with the Skinner Landfill in West Chester, Ohio ("the Site") and are parties to a Unilateral Administrative Order and Consent Order with the United States Environmental Protection Agency ("EPA") regarding certain activities at the Site. The Complaint will seek from you and a number of other defendants recovery of costs incurred and to be incurred by the Group.

Most of the defendants have already received some background information about the Skinner Landfill from EPA. Upon information and belief, the Site was used for waste disposal from the 1930s until the late 1980s. The Site was operated as a family-owned business from the time the Skinners purchased the property (in or around 1947). All members of the Skinner family that worked at the Site have been deposed or interviewed regarding operations of the landfill and identification of PRPs. In addition, Elsa Skinner, who maintained the accounting records for the Skinner business for the entire time it was in operation, provided an accounting ledger spanning the period 1955 to 1987.

Many parties have already received nexus data that describe the evidence allegedly tying them to the Site. Enclosed with this letter is an additional package referencing your alleged nexus to the Site. This information was obtained through the efforts of EPA and the Group. EPA conducted a Responsible Party Search, took several administrative depositions and conducted several witness interviews, and obtained responses to Section 104(e) requests for information from a number of PRPs. The Group hired an investigator to identify additional PRPs and to interview individuals

BEVERIDGE & DIAMOND, P. C.

with knowledge of the Site and its customers during the years of operation.^{1/}

As we mentioned above, the Group intends to file its Complaint in March, but will temporarily refrain from serving the Complaint on you in the hope that the parties can reach consensus on an Alternative Dispute Resolution ("ADR") process to be conducted in lieu of traditional litigation. We believe that this approach is more equitable and cost effective for all the parties concerned. As you know, EPA has already endorsed such an approach in this case to bring about an allocation that is fair, reasonable, and acceptable to the parties.

As you know, there is a meeting scheduled for March 11, 1997 in Cincinnati to discuss these and other issues. We will provide to you shortly before or at that meeting a model ADR protocol that we would like to use as a starting point for developing a consensual ADR process. The Group wants to stress that you and your client will have input on the type of allocation process that will be most effective for this particular Site. We anticipate using the next month to entertain comments on the ADR procedure and to develop an acceptable ADR process.

We encourage you to attend the March 11th meeting. If you have any questions before then, please feel free to call me at (202) 789-6019, Fred Wagner of my office at (202) 789-6041, or Michael Kay at (517) 636-7872.

Sincerely yours,

Karl S. Bourdeau

On Behalf of: The Dow Chemical Company,
Ford Motor Company, GE Aircraft Engines
Morton International, PPG Industries, Inc.
Velsicol Chemical Corporation

Enclosures

^{1/} At the request of EPA, the nexus materials have been redacted in an initial effort to protect the privacy of non-Skinner family member witnesses. We anticipate that full, unredacted versions of the nexus materials will be provided to cooperating PRPs during the course of the ADR proceedings.

Skinner Accounting Log Entry Summaries

May 1974

SKINNER LANDFILL PRPS

ADDRESS

		1955	1956	1957	1958	1959	1960	1961	1962	1963	1964
		Dumping	Dumping	Dumping	Dumping	Dumping	Dumping	Dumping	Dumping	Dumping On	Dumping
										[[W. Chester]]	[[On Arlington]]
										[[Property]]	[[Hgt & West]]
											[[Chester Prop]]
A.R. BAKER	Maud, OH										
ACME WRECKING	820 Wehrman Ave; Cin 29, OH		\$2.00								
AERONEA HFG CO	Middletown, OH										
ALDEN LANDSCAPING	Cincinnati, OH		\$21.00							\$45.00	
AMERICAN BARREL AND COOPERAGE CO	1258 Knowlton St; Cincinnati 23, OH	\$25.00			\$150.00						
AMERICAN CYANAMID CO.	Box 41316; Cin, OH 45241										
ANTHONY L. RACH EXCAVATING CONTRS	520 Davis St; Lockland, Cin 15 OH										\$25.00
ARMCO SYSTEMS CONTRACTING	10300 Evendale Dr; Cin, OH 45241										
ARTHUR RABKIN	Cincinnati, OH	\$29.00									
AVON PRODUCTS	175 Progress Place; Springdale, Cin, OH 45246										
B & B WRECKING AND EXCAVATING	5801 Train Ave; Cleveland, OH 44102										
B. ESTERKAMP	3747 Riekle Rd; Cincinnati 39, OH				\$87.50						
B.F. GOODRICH CO	500 S. Main St; Akron, OH 44318										
BEATTY'S AUCTION	West Chester, OH										
BERMAN LEASING CO	High and Berk St; Pottstown, PA 19464										
BILL RING	Beethany, OH	\$1.50									
BILL YOUNG & CO, INC	Box 15012; 1843 N. Reading Rd; Cin, OH 45215										
BOLES DIESEL EXCAVATING	Kemper Rd at Crooms Rd; Cin, OH										
BOB HOWARD	West Chester, OH		\$4.50								
BOB FIERALL EXCAVATING	Kemper Rd. at Crooms Rd.; Cin, OH										
BRASHEAR CONSTRUCTION, INC	2520 Millville-Ross Rd; Hamilton, OH 45013										
BUTLER COUNTY	Hamilton, OH										
BUTLER HFG CO.	1217 Ellis St.; Cin, OH 45223										
BYRNES AND CONWAY CO.	50 Oak St.; Cinn., St. Bernard, OH		\$13.50								
C. DATTILO AND COMPANY	Hamilton, OH										
C.L. HOPKINS AND SONS	7451 Wooster Pike; Cin 27 OH	\$8.00	\$146.00	\$1,020.00	\$30.00	\$900.00		\$60.00		\$1,535.00	\$6,188.00
C.M. PAULA CO	7773 School Rd; Cin, OH 45242										
ARI. HUFF	Cincinnati, OH										\$12.00
ARI. MILLER	Beethany, OH		\$12.00								
HANDLER CONST. CO.	8818 La Soudesville-West Chester Rd; West Chester, OH										
CHEMICAL LEAMAN TANK LINES, INC	Box 128; Ross, OH 45061										
CHURCH OF CHRIST	West Chester, OH 45069										
CIN. PAVING AND SEALING	Cincinnati, OH										
CINCINNATI CLG. AND FINISHING CO	Cincinnati 7, OH	\$24.00	\$82.00								
CINCINNATI MILACRON CHEMICALS	Cincinnati, OH 45215										
CITY OF DEER PARK	Hamilton Co, OH			\$214.00	\$62.00	\$116.20	\$142.00				
CITY OF LINCOLN HEIGHTS	9901 N Wayne Ave; Cin, OH 45215										

[illegible]

May 1994

SKINNER LANDFILL PRPS

	1979	1980	1981	1982	1983	1984	1985	1986	1987	TOTAL	X
	Trucking, Hauling & Etc	Trucking, Hauling & Etc	Trucking, Hauling Etc	Dumping At Plant	Dumping At Disposal Plant	Dumping At Disposal Plant	Dumping At Disposal Plant	Dumping At Disposal Plant	Dumping At Landfill		
A.R. BAKER										\$2.00	0.00082
ACME WRECKING										\$912.00	0.34742
AERONEA MFG CO										\$426.00	0.16232
ALDEN LANDSCAPING							\$125.00			\$125.00	0.04762
AMERICAN BARREL AND COOPERAGE										\$175.00	0.06672
AMERICAN CYANAMID CO.										\$50.00	0.01902
ANTHONY L. RACH EXCAVATING CON										\$1,815.00	0.69152
ARMCO SYSTEMS CONTRACTING	\$660.00									\$660.00	0.25142
ARTHUR RABKIN										\$29.00	0.01102
AVON PRODUCTS										\$100.00	0.03812
B & B WRECKING AND EXCAVATING										\$0.00	0.00002
B. ESTERKAMP										\$87.50	0.03332
B.F. GOODRICH CO										\$350.00	0.13332
BEATY'S AUCTION					\$540.00					\$540.00	0.20572
BERMAN LEASING CO										\$0.00	0.00002
BILL RING										\$1.50	0.00062
BILL YOUNG & CO, INC										\$2,225.96	0.84802
BOLES DIESEL EXCAVATING										\$125.00	0.04762
BOB HOWARD										\$4.50	0.00172
BOB PIERALL EXCAVATING										\$0.00	0.00002
BRASHEAR CONSTRUCTION, INC	\$710.00									\$930.00	0.35432
BUTLER COUNTY										\$50.00	0.01902
BUTLER MFG CO.										\$56.00	0.02132
BYANES AND CONWAY CO.										\$13.50	0.00512
C. DATTILO AND COMPANY										\$0.00	0.00002
C.L. HOPKINS AND SONS										\$17,352.00	6.61062
C.M. PAULA CO										\$506.00	0.19282
CARL HUFF										\$12.00	0.00462
CARL MILLEN										\$12.00	0.00462
CHANDLER CONST. CO.					\$965.76					\$965.76	0.36792
CHEMICAL LEAMAN TANK LINES, IN										\$436.00	0.16612
CHURCH OF CHRIST										\$1,000.00	0.38102
CIN. PAVING AND SEALING							\$30.00			\$30.00	0.01142
CINCINNATI CLG. AND FINISHING										\$106.00	0.04042
CINCINNATI MILACRON CHEMICALS										\$3,050.00	1.16202
CITY OF DEER PARK										\$534.20	0.20352
CITY OF LINCOLN HEIGHTS										\$2,205.00	0.84002

SKINNER LANDELL PAPS

CITY OF SHARONVILLE	10900 Rdg Rd; Cin, OH 45241
CLARK SERVICES, INC.	West Chester, OH
CLARK'S DISPOSAL	Cincinnati, OH
CLARKE'S COMPLETE COLLECTION	2040 E. Kemper Rd. Cin 41, OH
CLARKE'S SANITARY FILL	Sharonville, OH
CLAUDE "RED" DAVIDSON	8685 Cin and Dayton Rd.; West Chester OH
COLON HAWKS WASTE & MORTGAGE CO.	11673 N. Walnut St.; Cin 46, OH
COMMONWEALTH PROPANE CO	Cin, OH
CONTINENTAL PLUMBING	
D.L. HAMILTON	Bethany, OH
DORR AND ARMSTRONG CONST CO	137 W. Benson St; Reading Cin 15, OH 45215
DAVID HERSCHBERG CO. (H&R)	Opposite Big Four Dep.; Lockland, Cin 15 OH
DAWSON EVANS CONST CO.	St. Bernard, OH
DEE SIGN CO	2501 Norwood Ave; Cin, OH 45212
DEWEY BEATY	Sharonville, OH
DILLINGHAM'S MOBILE HOMES	11353 Labanon Rd; Sharonville, OH 45241
DEL'S SERVICE INDUSTRIES, INC	4434 W Mitchell Ave; Cin, OH 45232
DOW INDUSTRIAL SERVICES	PO Box 536 Tulsa, 2, OK
DOWELL CHEMICAL	Cleveland, OH
EDWARD EPSY'S WASTE COLLECTION	Ervin 1373 Adams St ;Cin. OH 45215
ERMA RAINEY AND SONS	1134 Jackson St.;Cin OH 45215
ESTES TRI-STATE EXCAVATING, INC	7887 Cin-Dayton Rd; West Chester, OH 45069
FEDERALE AND SONS, INC.	West Chester, OH
FELIX JANSEN CO	920 Deenen Rd; Monroe, OH 45050
FISHER BODY DIVISION, GMC Norwood	4726 Smith Rd.; Norwood, OH 45212
FLEXI VAN	One Gilbert Dr; Seacacus, NJ 07094
FLOYD VICKERS EXCAVATING	1659 Wayne-Madison Rd; Trenton, OH 45067
FOX PAPER CO	PO Box 97; Lockland, Cin. 23, OH
FREDRICK H. LEVEY CO INC	630 Glendale-Milford Rd; Woodlawn, Cin OH 445215
GALLENSTEIN, HENRY JR.	11311 Deerfield Rd; Cin, OH 45242
JENE CROMER	West Chester, OH
GENERAL ELECTRIC FLIGHT PROPU	Evendale, Cin 15, OH 45215
GEORGE ELIE WRECKING CO	5039 Carthage Ave; Cin, OH 45212
GEORGE HENRY WASTE COLLECTION	11220 Grooms Rd; Cin 42 OH
GEORGE HERTZ HAULING	Batavia, OH 45247
GILT EDGE BAKERY	Cincinnati 37, OH
GAMM H WASTE COLLECTION	1235 W. Seymour Rd.; Cin 16 OH 45216
L. HUTTON	West Chester, OH

SKINNER LANDFILL PAPS

[illegible]

SKINNER LANDFILL PRPS[illegible]

ADDRESS

11	1955	11	1956	11	1957	11	1958	11	1959	11	1960	11	1961	11	1962	11	1963	11	1964	11
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[illegible]

SKINNER LANDFILL PAPS[illegible]

May 1994

SKINNER LANDFILL PRPS

	1979	1980	1981	1982	1983	1984	1985	1986	1987	TOTAL	Z
	Trucking, Hauling & Etc	Trucking, Hauling & Etc	Trucking, Hauling Etc	Dumping	Dumping At Disposal Plant	Dumping At Disposal Plant	Dumping At Disposal Plant	Dumping At Disposal Plant	Dumping At Landfill		
HAMILTON WEST APTS. (Mr. JB Ro										\$90.00	0.03432
HARGEMAN ENTERPRISES CONST										\$780.00	0.29722
HAWK'S GARBAGE AND TRASH										\$204.00	0.07772
JACK BAWES WASTE COLLECTION										\$12,379.71	4.71632
HEINZE EXCAVATING		\$210.00								\$210.00	0.08002
HOCKS BINCH CO.										\$14.50	0.00552
HOWARD GOSSAGE										\$1.50	0.00062
HUBER AND WICKE										\$7.00	0.00272
HUB REALTY										\$0.00	0.00002
INDUSTRIAL EQUIPMENT AND SUPPL										\$0.00	0.00002
INTERNATIONAL MINERAL AND CREM										\$0.00	0.00002
J. WEBER DAIRY CO.										\$405.00	0.15432
J.P. CONSTRUCTION	\$150.00									\$150.00	0.05712
JAMES GILLIS, CONTRACTOR						\$2,799.00				\$2,799.00	1.06632
JOHN F. BUSHELMAN CONST						\$305.00				\$1,945.00	0.74102
JOHN J. WHITTON TRUCKING							\$775.00		\$5,000.00	\$5,775.00	2.20012
JOHN LUNSFORD-SHARON CAR WASH										\$12.00	0.00462
JOHN R. LOOMIS, INC										\$4,062.00	1.54752
ELLEY AND CARPENTER										\$0.00	0.00002
ROGER CO, FOOD PROCESSING										\$925.00	0.35242
ING WRECKING CO/Container Ser						\$1,250.00	\$760.00	\$16,280.00	\$18,050.00	\$38,120.00	14.52262
UNZ										\$2.00	0.00082
L.D. HAGNER										\$1,535.04	0.58482
L.R. BROOK										\$26.50	0.01012
L.V.H., INC.						\$875.00	\$795.00		\$825.00	\$2,495.00	0.95052
AGNODE PRODUCTS, INC.	\$935.00									\$935.00	0.35622
ARY SANDERS										\$93,354.00	12.70692
ASONITE FABRICATORS										\$2,716.00	1.03472
ECCO, INC (Lesli Townsend)										\$994.00	0.37872
ELDDY BRANCH PRODUCTS (Wm. De										\$0.00	0.00002
MICHAEL LICHTENBERG CONST							\$120.00			\$120.00	0.04572
D AMERICAN WASTE									\$3,925.00	\$3,925.00	1.49532
DULETON BROTHERS										\$16.50	0.00632
SCCELLANEOUS				\$510.00		\$720.00	\$320.00	\$2,753.00	\$3,821.00	\$10,823.50	4.12342
ULTI COLORTYPE CO										\$312.00	0.11892
WBERRY CONSTRUCTION CO	\$1,127.00									\$1,764.00	0.67202
YRMAN LUNSFORD										\$10.00	0.00382
RTTHAVE									\$2,925.00	\$2,925.00	1.11432

SKINNER LANDFILL PAPS

[illegible]

SKINNER LANDFILL PRPS[illegible]

SKINNER LANDFILL, PRPS

May 1994	1979	1980	1981	1982	1983	1984	1985	1986	1987	TOTAL	Z
SKINNER LANDFILL, PRPS	Trucking, Hauling Etc	Trucking, Hauling Etc	Trucking, Hauling Etc	Dumping	Dumping At Disposal Plant	Dumping At Disposal Plant	Dumping At Disposal Plant	Dumping At Disposal Plant	Dumping At Landfill		
MW PAVING CO.						\$150.00				\$150.00	0.03712
O'Rourke CONSTRUCTION CO										\$230.00	0.08762
OSBORNE TRUCKING CO										\$0.00	0.00002
PAUL CAVIN										\$5.00	0.00192
PAYLESS DISCOUNT FOODS										\$48.00	0.01832
PENKER CONSTRUCTION GENERAL CO										\$3.00	0.00112
PETRICOFF'S (DRUM)										\$0.00	0.00002
PHILIP W. SCHMIDT										\$12.00	0.00462
PIERRE W. MATHER										\$0.00	0.00002
POST OFFICE JOB					\$1,393.42					\$1,393.42	0.53092
PROGRESSIVE DRYWALL	\$164.00									\$164.00	0.06252
QUEEN CITY R.R. CONST, INC										\$2,330.00	0.88772
R.W. MURRAY CO.							\$3,080.00			\$3,080.00	1.17342
RALSTON PURINA CO.										\$156.00	0.05942
RAY V. MOYERS										\$6.50	0.00252
RUMPKA										\$18.00	0.00692
S.G. LOWENDICH AND SONS										\$200.00	0.07622
SCHMIDT-OBARROW CO FUNERAL DIR										\$35.00	0.01332
SERVICE TRANSPORT										\$37.00	0.01412
SPADE CONTENTIAL EXPRESS, INC										\$0.00	0.00002
SPRAY-DYNE CORPORATION										\$1,300.00	0.49532
ST JOE PAPER CO.										\$235.00	0.08952
STEELMAN WRECKING AND CONST.	\$300.00					\$500.00				\$800.00	0.30482
STEVENS, JOHN B.										\$35.00	0.01332
TILLGRASS TRANSIT CO. INC.										\$300.00	0.11432
UPINGER DEMOLITION SALES AND										\$0.00	0.00002
WM B. KEYES GENERAL CONT					\$20.00					\$20.00	0.00762
WAMPLER BROTHERS										\$6.00	0.00232
WI-COUNTY ROOFING CO.							\$15.00			\$15.00	0.00572
W.S. INFORMATION AGENCY										\$175.00	0.06472
WIVERSAL CONTRACTING CORP			\$460.00							\$460.00	0.17522
WUHN BUILDING CO OF OHIO										\$839.25	0.31972
WYATT AND WUTTELL										\$71.00	0.02702
WYLLAGE OF GLENDALE(Glendale W										\$1,950.00	0.74292
WYLLAGE OF MONROE										\$3,009.00	1.14632
WYLLAGE OF MONTGOMERY										\$62.50	0.02382
WYLLAGE OF SILVERTON										\$48.00	0.01832
WYLLAGE EXCAVATING	\$150.00									\$150.00	0.05712

May 1994

SKINNER LANDFILL PRPS

ADDRESS

U.K. HOWARD

Bethany, OH

WALTER CORDEN

WEST CHESTER EXCAVATING

West Chester, OH

WHITEVOCK'S

Cincinnati, OH

WILLIAMSBURG HOME

WILLIAMSBURG PROPERTIES, INC.

Cincinnati, OH

ZILLIG EXCAVATING AND PAVING

Cincinnati, OH

1955	1956	1957	1958	1959	1960	1961	1962	1963	1964
Dumping	Dumping	Dumping	Dumping	Dumping	Dumping	Dumping	Dumping	Dumping On	Dumping
								W. Chester	On Arlington
								Property	Hgts & West
									Chester Prop
\$1.00									
\$10.00									
\$21.00									

TOTAL

\$418.00 \$825.50 \$1,344.50 \$1,379.50 \$3,278.20 \$2,000.00 \$1,147.00 \$1,131.50 \$8,042.00 \$25,939.50

May 1994

SKINNER LANDFILL PRPS

	1965	1966	1967	1968	1969	1970	1971	1972	1973	1974	1975	1976	1977	1978
Dumping	Dumping	Dumping--	Dumping On	Trucking	Trucking	Trucking	Demolition	Trucking	Trucking	Trucking	Trucking	Trucking	Trucking	Trucking
On West	Landfill &	Landfill	Hauling	Hauling	Hauling	Work & Misc	Hauling	Hauling &	Hauling &	Hauling &	Hauling &	Hauling &	Hauling &	Hauling &
Chester	Disposal	Disposal	Etc.	Etc.	& Etc.	Wrecking	Etc	Etc to Dump	Etc to Dump	Etc	Etc	Etc	Etc	Etc
Property	Plant	Plant												
U.K. HOWARD														
WALTER CORDEN														
WEST CHESTER EXCAVATING														
WHITEVOOK'S														
WILLIAMSBURG HOME														
WILLIAMSBURG PROPERTIES, INC.														
ZILLIG EXCAVATING AND PAVING														

\$25,248.10 \$23,872.76 \$34,258.02 \$4,980.74 \$1,330.25 \$2,430.00 \$3,913.00 \$1,000.00 \$1,500.00 \$5,007.78 \$3,380.00 \$5,583.00 \$2,106.00 \$2,526.00

May 1994

SKINNER LANDFILL PRPS

	1979	1980	1981	1982	1983	1984	1985	1986	1987	TOTAL	%
Trucking, Hauling & Etc	Trucking, Hauling & Etc	Trucking, Hauling & Etc	Trucking, Hauling & Etc	Dumping	Dumping At Disposal Plant	Dumping At Disposal Plant	Dumping At Disposal Plant	Dumping At Disposal Plant	Dumping At Landfill		
U.K. HOWARD										\$1.00	0.0004%
WALTER CORDEN										\$10.00	0.0038%
WEST CHESTER EXCAVATING									\$3,870.00	\$3,870.00	1.4744%
WHITEVOCK'S										\$21.00	0.0080%
WILLIAMSBURG HOME									\$4,600.00	\$4,600.00	1.7525%
WILLIAMSBURG PROPERTIES, INC.							\$225.00			\$225.00	0.0857%
ZILLIG EXCAVATING AND PAVING		\$540.00			\$100.00					\$640.00	0.2438%
	\$4,456.00	\$1,200.00	\$680.00	\$510.00	\$4,494.18	\$6,884.00	\$7,275.00	\$22,506.00	\$51,641.00	\$262,487.53	

Skinner Site Contract
Worker Sworn
Statement Excerpts

1 IN RE: SKINNER LANDFILL SUPERFUND SITE.

2 - - -

3 SWORN STATEMENT OF

4 - - -

5 Taken by John Breslin, Esq., at
6 the Stewart Potter United States Courthouse, 100
7 Main Street, Room 248, Cincinnati, Ohio at 9:30
8 a.m. on November 8, 1994 before Lisa Conley, RPR, a
9 notary public within and for the State of Ohio.

10 - - -

11
12 RECEIVED

13 DEC 02 1994

14 Legal Department

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25
SPANGLER REPORTING SERVICES

PHONE (513) 381-3330 FAX (513) 381-3342

1 APPEARANCES:

2 John Breslin, Esq.

3 Charles H. Tisdale, Jr., Esq.

4 Mr. Joseph Kawecky

5 Ms. Karen Lauzon

6 Lisa Conley, RPR, Court Reporter-Notary Public

7 - - -

8 I N D E X

9 WITNESS

EXAM

FURTHER EXAM

10 3 79

11 68

12 - - -

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SPANGLER REPORTING SERVICES

PHONE (513) 381-3330 FAX (513) 381-3342

1 MR. BRESLIN: My name is John
2 Breslin. I'm an attorney with the Environmental
3 Protection Agency. To my right is Joe Kawecky, who
4 is a civil investigator with the EPA. At the end
5 of the table is Chet Tisdale, who is an attorney.
6 I'd like to thank you for coming for this
7 deposition under Superfund Law, which is also
8 called CERCLA, C E R C L A.

9
10 of lawful age, a witness herein, being first duly
11 sworn as hereinafter certified was examined and
12 testified as follows:

13 EXAMINATION

14 BY MR. BRESLIN:

15 Q. Would you please state your name.

16 A. I'm

17 Q. What's your address,

18 A. Present address is

19

20 Q. Are you currently employed?

21 A. Yes, I'm working for Jerry's Truck
22 and Diesel Repair, Harrison, Ohio.

23 (Witness affirmed.)

24 Q. could you tell us a
25 little about your background, how long you've lived

1 in the Cincinnati area?

2 A. Basically all of my life. Maybe
3 eight or ten years when I was a small child I was
4 throughout Southern Indiana, and then perhaps
5 around '84 to '90 I was in Indiana again, you know,
6 but other than that, I've always been around
7 Cincinnati.

8 Q. Is all of your schooling, education
9 in the Cincinnati area?

10 A. Outside of my grade school was in
11 Indiana.

12 Q. Okay. Has your employment history
13 all been in the Cincinnati area?

14 A. Basically.

15 Q. Could you trace that briefly for us,
16 just in a general sense.

17 A. General from my first job to my
18 current job, is that where we want to go?

19 Q. Yes, that would be fine.

20 A. Let's see, how ridiculous could it
21 be. I sold papers as a child. Then I worked in a
22 greenhouse. Would you like to know when I -- what
23 to do with the Skinner Landfill, what about those
24 jobs?

25 Q. Yeah, or your jobs as an adult. What

1 would you say your trade is or has been?

2 A. Well, my trade is, I'm a diesel
3 mechanic, heavy equipment mechanic, also heavy
4 trucks, class A trucks. I worked from around '67
5 to '70 basically in that area for a company, A Okay
6 Leasing, that was on 6256 Wiley Road, and that was
7 when I first learned about Skinner's landfill
8 because Keenan Oil -- This has never been said to
9 anybody. Keenan Oil used to dump a lot of their
10 residue oil at the lagoon there at Skinner's
11 landfill.

12 Q. Do you know how to spell Keenan Oil?

13 A. K E E N A N, I presume.

14 Q. Was that a Cincinnati --

15 A. They're by Cincinnati Gardens.

16 Anchor-Hocking I believe bought the company.

17 Q. And how do you know that they dumped
18 materials there?

19 A. Because I took care of the trucks,
20 and the trailers, and tankers, and everything for A
21 Okay Leasing, which called for Keenan Oil.

22 Q. When you say took care of them --

23 A. I was a mechanic.

24 Q. -- you repaired them?

25 A. Yes.

1 Q. Did you actually --

2 A. No, I didn't drive it.

3 Q. So how did you know directly what was
4 being hauled by the --

5 A. I don't know what was being hauled.
6 exactly as far as the chemical makeup. I know
7 mostly it was creosote and other by-products that I
8 guess Keenan bought from other manufacturers or was
9 given to them or something that they couldn't use.

10 Q. How did you become aware that Keenan
11 was using the Skinner Landfill site?

12 A. Well, later on when I worked with
13 John Skinner, I knew about the lagoon. He cut one
14 lagoon out of rock, and the gentlemen at Keenan Oil
15 told him it wouldn't work, and this old man
16 Skinner, this was Albert, didn't take much heed to
17 what they said, and it did leak. It leaked through
18 the cracks of the stone.

19 That's the one down below. It's not
20 up in the dumper where the lagoon was up by the
21 smoke stack. In other words, the first lagoon that
22 the EPA looked for, that's the one that was covered
23 up the weekend prior to the EPA coming on the
24 landfill. That's when John Bushelman had every
25 piece of equipment he owned there.

1 Q. Okay, we'll cover that in a little
2 while. When you were at A Okay, did you talk to
3 drivers; is that how you knew what was going on?

4 A. Well, James Hurley was one of the --
5 he worked for Harley Hale, which originally owned
6 or I presume started A Okay Leasing. Ken Riley
7 owned the business when I worked for A Okay or he
8 owned the business when I worked for A Okay
9 Leasing, and he told me later that he had hauled a
10 lot of that stuff there, and, of course, the lagoon
11 smelled like creosote, but that was years before
12 the Skinner thing came up. That was back in the
13 late '60's.

14 Q. So did you know the Skinners at that
15 point?

16 A. Not really. I didn't really meet
17 John until around '73, although, I knew of him, you
18 know, but I never -- John and I were very good
19 friends. I worked with John for a long time.

20 Q. Where did you work after you worked
21 at A Okay Leasing through 1970?

22 A. Oh, God, many places, Gallenstein
23 Construction, Continental Plastics. You know, I
24 probably worked a hundred different places in my
25 life.

1 Q. Were all of those jobs as a truck
2 mechanic?

3 A. Yeah, sometimes, you know, usually,
4 whatever pays, you know what I mean. I drove
5 trucks and repaired them. I designed furniture and
6 things, tools to cut plastics and so on.

7 Q. Where did you work at the time you
8 first came in contact with John Skinner or any of
9 the other Skinners; do you recall?

10 A. I believe the first time I personally
11 met John I was up at Mason at a friend of mine's
12 garage, Junior Robinson's, and that's when I first
13 met John. In fact, John and I went and looked at a
14 truck that he wanted to -- somebody to assemble
15 it. It had been bought without an engine in it,
16 and that's the first time that I met John. It was
17 in '73. I remember that because I bought a new
18 Chevrolet pickup truck in '73, and the thing was
19 brand new and it quit on us.

20 Q. Pardon me?

21 A. It quit on us, a new car, and I'm a
22 mechanic, and the stupid thing quit running.

23 Q. Oh, okay. So did John get in contact
24 with you for you to repair this truck?

25 A. Right. Well, I never worked on that

1 particular truck. That truck was sold to someone
2 else, but I started working with John probably in
3 the latter part of '74.

4 Q. Did you have any contractual
5 employment relationship with him or was it a
6 job-by-job thing?

7 A. Yeah, it was just a job-by-job thing,
8 you know. In other words, we did a lot of work
9 together, in other words, we worked about 7 days a
10 week, 20 hours a day, which is about as steady as
11 you can work, you know, but we never had an
12 agreement that we were going to do this 6 months
13 from now or whatever. We just, whatever was being
14 worked on or the work to be done, it would be done.

15 Q. Did you work at the Skinner property?

16 A. Yeah.

17 Q. On Cincinnati-Dayton Road there?

18 A. Yeah.

19 Q. Was there some kind of garage?

20 A. No. I mean, that was doing whatever,
21 you know, a lot of demolition work and moving of
22 heavy equipment and objects and so forth.

23 Q. Were you involved while you were
24 working with John Skinner with the waste disposal
25 operations out there at all?

1 A. Yeah, right.

2 Q. How would you characterize your
3 involvement in those types of operations?

4 A. Well, let's see. I personally don't
5 remember driving or hauling anything from Chem-Dyne
6 in Hamilton to the Skinner landfill. Ray did that
7 basically every night, you know, a lot of stuff at
8 night was hauled in there. I unloaded a lot of
9 trailers, you know, box trailers, freight type
10 trailers, John and I did that.

11 Q. When you say Ray, for the record who
12 do you mean?

13 A. Ray Scarra, that's John's half
14 brother. Well, since John's dead, I guess it's not
15 his half brother, but John would have been his half
16 brother.

17 Q. Who was running the Skinner
18 operations in those days?

19 A. Well, I presume, of course, ownership
20 would have been Albert and Elsa's, but, you know,
21 they didn't really know what John was doing. I
22 remember when the problem first came around, it was
23 something illegally done, I didn't know that. You
24 know, I just took for granted it had always been a
25 dump or a landfill, you know, and I didn't know

1 anything was wrong about it, quite frankly.

2 You know, here's a company in
3 Hamilton, and this is the landfill, you know. And
4 I believe John only told them like 100 or 150 per
5 trailer load or something, and John was probably
6 getting a thousand. When I knew about this was
7 prior to the EPA coming in there, I think Kovacs is
8 his name from Chem-Dyne.

9 Q. Kovacs?

10 A. Kovacs. This has been 20 years ago,
11 you know, and it was something I overheard the old
12 man saying something about 25,000, and he says that
13 guys crazy, it's only 2,500, and you have to make
14 some money out of that.

15 So I mean, Albert was talking to
16 John, so Albert had in his mind John had only got
17 \$2,500 this last time or something or the other,
18 and it was actually \$25,000 owed John Skinner. So
19 John made an immense lot of money. I mean, maybe
20 not millions, but hundreds of thousands, you know,
21 couple hundred thousand dollars. I'm just
22 guessing, you know.

23 Q. This is around the time when you
24 started out there, you say it was '74?

25 A. Around, yeah.

1 Q. At first, then, were your
2 responsibilities mostly taking care of equipment or
3 repairing equipment at some point or were you
4 immediately involved in every aspect of the
5 operation?

6 A. Yeah, basically everything that was
7 being done, you know. In '74, '75 John and I
8 worked a little over a year seven days a week every
9 day wrecking a real large building in St. Bernard,
10 the Armor Fertilizer building.

11 Q. You wrecked it, you say?

12 A. Yeah, wrecked it. It was a
13 tremendous job. That's how John showed -- I mean,
14 John basically bought the job to show Elsa, and I
15 presume to show Elsa and Albert, how he got all
16 this money. The job didn't really pay all that
17 much money, but that's when John bought a new
18 Cadillac and a lot of equipment. Ray, of course,
19 whatever John bought, Ray had to have, so Ray got a
20 new Lincoln out of the deal.

21 Q. How does this relate to you? You
22 said you wrecked -- What's the name of the building
23 you wrecked?

24 A. We demolished a great big 800 feet
25 long, 200 feet wide, 100 foot high -- I did all the

1 heavy work on it.

2 Q. What was that company called?

3 A. The Armor Fertilizer building. It's
4 still owned by the same people, Bill Schmit, and I
5 can't think of Bill Schmit's partner's name. I
6 just gave them some pieces for an old truck. I
7 can't think. The two guys are partners.

8 Q. What was done with the debris and the
9 wreckage from there?

10 A. Well, the wood was, of course, hauled
11 to the dump, the landfill, and the materials was
12 either -- of course, the steel materials that was
13 damaged was recycled or sold to scrap metal
14 dealers, you know. The steel that was usable, was
15 sold or shipped to people that needed it, you know,
16 wanted it, and other materials were sold. There
17 was, you know, not a lot of debris on it. It was a
18 steel building.

19 Q. In those days, the first part of the
20 '70's, what were you typically doing in the course
21 of a day or a week regarding disposal of wastes at
22 the Skinner landfill?

23 A. Well, okay. When I was up at the
24 dump or landfill, it was in a trailer. John would
25 excavate a hole, and John and I would get up in the

1 trailer and literally hand throw the material into
2 a hole and cover it up.

3 Q. Is this waste material you were
4 talking about?

5 A. Waste material.

6 Q. Would trucks be driving onto the site
7 with other drivers?

8 A. No, not in the daytime. Like I say,
9 most of all of those trailers, I presume that Ray
10 hauled them in there at night to keep people from
11 noticing so much traffic. There wasn't a lot of
12 activity in the daytime.

13 Q. There were not waste trucks coming in
14 and dumping waste during the day time?

15 A. No, no.

16 Q. So at night would you notice that
17 there were trailers there all of a sudden?

18 A. Well, this is a large area. I mean,
19 we was demolishing this large building, so what
20 happened there through the day I didn't see because
21 John and I were both on this job, and then in the
22 evenings when we got in, we would unload or empty
23 out any trailers.

24 Q. And these all had some sort of waste
25 materials on them?

1 A. Well, I probably personally only
2 unloaded maybe a dozen trailers with John. I
3 personally only went and got, that I remember, one
4 load of material, and that was I believe Borden
5 Chemical up by Newark, Ohio someplace. I got that
6 on a drop deck truck, you know, low boy, low
7 platform truck.

8 Q. Okay. When you mention the dozen
9 trailers or so that you unloaded with John, what
10 was the waste in on these trailers?

11 A. Okay. The trailers I most -- You
12 know, this has been 20 years ago. We almost got
13 killed on this one trailer, and that was a deep pit
14 that he dug and it was muddy, and we had the
15 trailer, we backed it up to this pit, and it was
16 too far back in the pit. We couldn't get out of
17 the trailer hardly, and it was muddy, and the old
18 man took a bull dozer and helped pull the truck up
19 so we could get in and out of the trailer easier.
20 About 5 minutes, maybe 20 minutes into the middle
21 of this trailer, this pit explodes, and we
22 literally would have got burned up in the trailer.

23 This was material that was in the
24 large, I'm going to say, 50 paper barrels that had
25 like speedy dry or sawdust around it to cushion it,

1 A. Yeah.

2 Q. Where would that go, that rinse
3 water?

4 A. You know, I should remember, but I
5 presume they was took up to the dump, I guess the
6 dump or lagoon, because there wouldn't be but a
7 hundred or some gallons.

8 Q. That would be collected, that water?

9 A. Yeah, wouldn't be too much.

10 Q. Was there names on those tankers
11 trucks like Chem-Dyne?

12 A. No. I presume them to have been
13 Chem-Dyne's trailers, and I presume the chemical
14 was hauled in by tank railroad cars. You know, I'm
15 just presuming this because Chem-Dyne at that time
16 didn't have -- didn't seem like these trailers were
17 good enough to run over the road or whatever. I
18 mean, that's what I remember about them.

19 Q. Okay. Would you tell us about the
20 incident that occurred in April, '76 when EPA came
21 out --

22 A. Was that the lagoon?

23 Q. -- to the site? Yes.

24 A. Was that the day that a dozen police
25 cars were there? Then I remember it.

1 Q. It was in April of '76, and the EPA
2 and I believe the Ohio EPA came out to the site and
3 various --

4 A. I was in some of the newspaper
5 clippings because people showed my picture in it,
6 so I was there, yeah.

7 Q. Can you briefly explain what happened
8 at that time from your perspective?

9 A. They came in and looked over the
10 place.

11 Q. Do you know why they came?

12 A. I presume they had a reason to be
13 there.

14 Q. You're not sure what it was, though?

15 A. No.

16 Q. Okay.

17 A. I mean, I don't know what they
18 claimed to be a reason for them to be there, you
19 know. It was my job to keep most of the people out
20 of there, which I did; but when they came, I think
21 there was 9 or 10 or 11 police cars, and I don't
22 know if this guy's name is around, somebody said
23 that I was a professional instigator. I'm not.

24 I'm just large, and I'm very good at
25 doing what I do. If you hire me to keep people out

1 of this room, they'll probably be out of this
2 room. I don't have to physically do it. I can
3 intimidate people or I can aggravate them so bad
4 they'll leave, you know.

5 Q. Whose directions were you following?

6 A. Well, John, you know.

7 Q. He said -- What did he say to you
8 when the police and everyone came?

9 A. Well, I don't know what he was doing,
10 but he said don't let anybody in here. So I was
11 there, this was probably the night before, prior to
12 that, I don't know who it was, one of the major
13 network's news people came down in a large car and
14 started asking questions, and I said, you know,
15 this is not the time or place, you people have to
16 leave. And a man started to get out, and I put my
17 hand on the door, and I said don't do this, you'll
18 have to leave, and at that time they left, you
19 know. I don't know who it was.

20 Q. Okay. Did the Skinners know that the
21 EPA was -- or the EPA people and the police are you
22 saying?

23 A. Yeah, they wouldn't have came in
24 there by themselves for fear of their lives.

25 Q. The EPA people, you mean?

1 A. Anybody that was not invited by the
2 Skinners did not come on that property. That's why
3 all of the police were there for escort.

4 Q. It's my understanding there was an
5 initial trip out to the site by some EPA people.

6 A. Well, they probably got thrown out,
7 you know. I'm saying that's why they came back,
8 you know.

9 Q. In the interim before you said all
10 the police cars and all these people came back out,
11 what activities took place at the site?

12 A. Well, they walked around, and there
13 was like a few trailers that had -- I remember one
14 instance there was a trailer with a license plate
15 on it. They was looking one way, and I just walked
16 around and took the license plate off the trailer.
17 I just pulled bolts and all. I just gave it a
18 pull, and I folded the license plate up and put it
19 in my pocket. So seemed like at that time nobody
20 wanted anybody to have any evidence as to who owned
21 the trailer. Whatever this, I presume Brown --
22 this is the name that I remember, that really,
23 really upset him, and in fact --

24 Q. Was this an EPA person?

25 A. This is one of the EPA major people,

1 whoever was in charge. He hit me on my shoulder
2 like you would, well, if you're a friend of
3 someone, you might have the habit of touching
4 someone's shoulder; if you would want to hurt them,
5 you might want to hit them a little bit harder, and
6 if you would like to hurt them but afraid to hurt
7 them, this is the way the man hit me.

8 And I just grinned because at that
9 time I realized I had him. He was shot. Whatever
10 he was looking at, he was so mad at me for -- he's
11 the one that said that I was a professional
12 instigator, and I was merely doing my job, you
13 know. Of course, I went down and filed a police
14 report, and, of course, that was lost, that was
15 never came up with.

16 Q. Did you and the Skinners around that
17 time do anything to cover up the lagoon?

18 A. I just said we did everything, we
19 covered up the lagoon.

20 Q. Can you explain that part of it to
21 me?

22 A. I think I did. I think I said there
23 was about 50 cars put in the lagoon, and barrels
24 with holes in them that I personally put holes in
25 the barrels, and John Bushelman's entire

1 construction fleet. There was 15 to 20
2 bulldozers. I don't know what that cost the old
3 man, but this is Saturday and Sunday, if you hire a
4 construction company's entire, I mean everything.

5 Q. So the cars were thrown in at that
6 time, then?

7 A. Right.

8 Q. Okay, I didn't follow that. Is this
9 after the EPA people had come to the site?

10 A. No, this was before. When they came
11 on the site, there was no lagoon. The only way
12 they knew there was a lagoon, they had an aerial
13 photograph of the incinerator. And there was a log
14 over top of that little creek, and here was a
15 lagoon. And at that time I said, well, there's no
16 lagoon there, you guys must have been someplace
17 else.

18 Q. But you guys had all covered it up?

19 A. Right.

20 Q. Why was Bushelman there?

21 A. He's the only body that had 15 to 20
22 bulldozers. This was a large undertaking, and it
23 was done in 2 days.

24 Q. What was Bushelman, what kind of
25 outfit?

1 A. Well, construction, and the old man
2 hired his company, you know, come here, clean this
3 lagoon off for me, bulldoze this dirt for me, and
4 that's what they did.

5 Q. Did Bushelman's people do the whole
6 job or were you personally involved in it as well?

7 A. I just repaired the one big
8 bulldozer, and I think John was running the big
9 one, and Ray was running the little one, and that's
10 how I was involved.

11 Q. Was John Bushelman himself out there;
12 do you recall?

13 A. Well, considering, probably, yeah. I
14 didn't talk to John out there, but this was an
15 immense undertaking, you know. I'm going to say
16 again, when you hire every piece of equipment a man
17 has, yeah, he was there. His fuel trucks were
18 there and everything.

19 Q. Did Bushelman or his company have any
20 other involvement with the site?

21 A. No.

22 Q. It was just that one time?

23 A. Right. He was just a contractor that
24 they hired to push dirt.

25 Q. Okay. I'm going to ask you about a

1 that weighed hundreds of tons, and taking things
2 into or out of places where normal people couldn't
3 do that. We had the cranes and so forth.

4 Q. So there wasn't always waste
5 involved?

6 A. No. Also there was demolition work
7 and everything, just a lot of different things we
8 did.

9 Q. AT&T?

10 A. No.

11 Q. City of Blue Ash?

12 A. No.

13 Q. BP Oil?

14 A. No.

15 Q. Bushelman?

16 A. Well, Bushelman done the excavation,
17 some bulldozing up there at the lagoon.

18 Q. When you say excavation, did they --

19 A. Well, they didn't dig. They
20 bulldozed dirt into an area.

21 Q. Okay. Cincinnati Drum Service?

22 A. No.

23 Q. Continental Mineral Processing?

24 A. No.

25 Q. Gene Crow Equipment?

Skinner Site Worker Interview Excerpts

CONFIDENTIAL INVESTIGATIVE
MEMORANDUM

Interview,

On April 1, 1993, [redacted] was contacted and advised that Orion Management International (OMI) had been retained to reconstruct the events and use of an area known as the Skinner Landfill.

The name of [redacted] was provided by [redacted], and an additional source, as an individual who would have information regarding **Chem-Dyne's** dealings at the Skinner Landfill. [redacted] did not feel that [redacted] would agree to be interviewed. [NOTE: This individual was later identified as [redacted]].

[redacted], currently employed with [redacted], advised that he initially met Otis Skinner while stripping coal in 1974. Otis Skinner hooked him up with John Skinner when [redacted] returned to the West Chester area in late 1974.

To the best of his knowledge, Otis Skinner currently resides in a suburb directly outside of Birmingham, Alabama. He started as a driver and mechanic for John Skinner, and they became best friends up until the day John died in 1981 or 1982.

The two of them worked side-by-side during this period of time. Between the years 1975 and 1976, **Chem-Dyne** barrels were hauled into the Skinner Landfill "around the clock". He personally hauled approximately one dozen times from **Chem-Dyne**, as did John Skinner. But Ray Skinner hauled the majority of the loads into the Skinner site.

He and John Skinner were working a demolition project for approximately one and a half years during this period of time. Ray Skinner would go to **Chem-Dyne** at night and bring in several truck loads, approximately 80 barrels a truck. The three of them would unload the trucks, and he and John Skinner would pour the contents of the barrels into the lagoon or other holes dug at the site. Ray Skinner would then return to **Chem-Dyne** to pick up more barrels.

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MEMORANDUM

Interview, _____ (cont):

_____ stated that this was done virtually every night for two years. John Skinner's instructions were to "pick" the barrels, meaning taking a pick-axe and destroy the barrels as much as possible, to not only allow the fluid to leak out, but to destroy any name or labels on the barrels.

He stated the barrels were then either disposed of directly at the site, or within the lagoon located on the site. To his knowledge, a great deal of the barrels contained anti-freeze, but he was not sure where the anti-freeze came from.

He advised that the railroad (was not certain of the name) which ran behind **Chem-Dyne** in Hamilton, Ohio, also brought in barrels to the **Chem-Dyne** storage facility, as well as in tankers which carried liquid. Ray Skinner would unload the liquid from the railroad cars into their own trucks, which was then driven to the site and emptied into the lagoon.

_____ related that 1975 and 1976 were good financial years for both he and John Skinner, stating that John Skinner made approximately \$100,000 that year hauling for **Chem-Dyne**.

He stated that the lagoon had a significant amount of oil deposited from **Kennan Oil**. He believed **Kennan Oil** was sold to a glass company, located near Cincinnati Gardens.

He recalled a great deal of creosote, a substance used to preserve railroad ties. He stated a good deal of old barrels that he had placed pick holes in, contained this substance, which was deposited not only in the lagoon, but in holes at the landfill. He stated that he personally put thousands of empty barrels into the lagoon.

Ludwick stated he was personally concerned with the substance placed just outside the perimeter of the landfill, which were two 40-50 ton tanks containing phenol, described as "thick, gooey stuff".

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MEMORANDUM

Interview, . . . (cont):

. . . explained an occurrence which was outlined in the State of Ohio Attorney General's suit against the Skinners in 1977. The incident occurred approximately April, 1976, when the EPA traveled to the site and attempted to examine the lagoon, as it was believed **Chem-Dyne** was utilizing the lagoon as a dumping ground.

The EPA was not permitted on the site, and was told to come back in a matter of days. . . . stated that that weekend, prior to the EPA's arrival, he, Ray Skinner, John Skinner, Albert Skinner and approximately twenty-five of **John Bushelman's** men, operated heavy machinery in an attempt to completely clean the landfill of barrels and completely bury the lagoon. He stated the lagoon took approximately three acres of dirt to cover. [NOTE: **John Bushelman operates a construction firm and has been identified as a PRP**].

Just prior to the EPA's arrival, when they were not permitted to inspect the landfill, John Skinner had placed a TD Thirty International Bulldozer in front of the entrance to the dump, blocking any vehicles from entering it. He stated that all of this was done to avoid the EPA from identifying substances and barrels in the lagoon and on the grounds itself.

. . . advised that John Skinner also worked with **Frank Adams & Company**, believed to now be out of business. He stated Frank Adams and John Skinner hauled liquid oxygen storage tanks from the **Lindy Company** in Chicago, Illinois. He also believed they hauled for the **National Cylinder and Gas Company** in the Chicago area. These storage tanks were disposed of within the Skinner Landfill.

The only three additional PRP's he could identify were **O'Rourke Wrecking, Dave Estes and John Bushelman**, all of whom hauled demolition debris rather extensively into the Skinner site.

. . . stated that Ellis Smith hauled **Chem-Dyne's** materials into the Clairmont County Landfill and a landfill in North Vernon,

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Skinner Site Worker Interview Excerpts

CONFIDENTIAL INVESTIGATIVE
MEMORANDUM

Interview, :

On March 10, 1993,

 , was contacted and advised that Orion Management International (OMI) had been retained to reconstruct the events and use of an area known as the Skinner Landfill.

During interviews with Ray Skinner, the name of was mentioned as an individual who may have information regarding PRPs utilizing the Skinner Landfill. **[NOTE: Although Skinner stated in his interview that he did not know where lived, trailer is located approximately 100 to 200 yards from the entrance to the Skinner Landfill].**

 stated that he had been storing salvaged material and living on the site since 1978, and pays Elsa Skinner-Morgan \$300 per month for the use of their area.

He advised that John and Ray Skinner were Albert's son from his first marriage, and Ray and Maria are Elsa Skinner's children.

According to , Albert Skinner went into retirement in the late 1970's, was moved into a rest home where he died in the early to mid-1980's. John Skinner was killed prior to Albert's death, and Albert was never advised of John's demise.

He stated that all money, contracts and decisions regarding the site were made by Elsa Skinner, and John and Albert Skinner primarily worked the dump.

Miller advised that on numerous occasions, he observed tractor trailers with 30 yard "unmarked" containers on the Skinner site. He also recalled several "midnight runs" during the time John Skinner operated the site. He explained that John Skinner was a very intimidating man and did not interfere.

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CONFIDENTIAL INVESTIGATIVE
MEMORANDUM

Interview, :

... stated that Albert Skinner did business with **Queen City Railroad** in Sharonville, Ohio, and this entity utilized the site. He was not certain what they placed at the dump.

Newberry Railroad was a frequent user of the Skinner dump, depositing "thousands" of railroad ties into the site with their own vehicles, he recalled were red in color.

John F. Bushelman Construction, located on Haulk Road, Sharonville, Ohio, dumped industrial brick, stone and wood into the site for numerous years, as John Bushelman was a friend of Albert Skinner.

... stated that **Bushelman Construction** worked in conjunction with **MVM Sales and Service**, who installed service stations. **MVM**, which is located next to **John Bushelman Construction**, hauled several gasoline storage tanks into the dump, but according to Miller, Ray Skinner hauled the storage tanks away from the dump.

MVM Sales and Service, located on Haulk Road, Sharonville, Ohio, builds, tears down and remodels gas stations, and works in conjunction with **John Bushelman**. He believed **MVM Sales and Service** had done work for **Shell Oil Company** and **Sunoco**, and hauled their debris into the Skinner site. He was not certain how they disposed of underground gasoline storage tanks. **MVM Sales and Service** hauled into the Skinner site at least once per week, since 1978 or 1979.

Ed Batey was an individual hauler located on Western Row Road and Route 42, Mason, Ohio. ... stated that Ray and/or John Skinner hauled demolition material for **Batey** into the site. **Ed Batey** and John Skinner were very good friends. He suggested that **Ed Batey** may have additional information regarding the site.

There was a military base located in, what now is called, **Micro Center Mall** in the Sharonville area. According to Miller, this base was torn down and the debris was hauled by **Jim Gillis** into the Skinner dump.

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Interview,

Dave Estes Construction Company contracted with Ray Skinner to haul brush and construction debris into the site. He also stated that **Estes** had his own dump trucks which also frequented the site. **Dave Estes** is believed to be retired and the operation is now run by his son.

Thomas/Sysco Foods in Evendale, Ohio, was renovated in the mid-1980's, and believed **John Bushelman Company** hauled the renovation/construction debris, including everything from insulation to concrete blocks, into the Skinner site.

He stated that Ray Skinner hauled the debris from the old post office, and new building, in West Chester, near the entrance to the Skinner dump, into the landfill.

Acme Wrecking Company in Cincinnati, Ohio, hauled demolition debris in 30 to 40 yard dump trucks, on an average of once per month into the site. He stated **Acme Wrecking** would not be in the site for six months at a time, and then would show up four to five times in one day over the next six months.

Coca-Cola in either Cincinnati or Hamilton, Ohio, utilized the Skinner site, depositing wood pallets and wood boxes that held 24 bottles. They used their own tractor trailer trucks, which would hold approximately 60 yards. He recalled **Coca-Cola** in the dump the last three or four years that it was open, and estimated they utilized it once every two months.

He stated the **City of Deer Park, City of Silverton** and the **City of Maderia** hauled into the site during the 1950's and 1960's. He identified a Mrs. Spalding as the owner of a hauling company that hauled for these cities, and believed Mr. Spalding was deceased.

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Maria Skinner Roy Interview Excerpts

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Interview, Maria Skinner Roy:

On April 2, 1993, Maria Skinner Roy (daughter of John and Elsa Skinner), P.O. Box 247, West Chester, Ohio 45071, was contacted and advised that Orion Management International (OMI) had been retained to reconstruct the events and use of an area known as the Skinner Landfill. Her physical location is near the entrance of the dump, located at 8740 Dayton-Cincinnati Road, West Chester, Ohio 45069 (513)777-9454.

Roy, who is 45 years of age, stated that she spent the majority of her life on the Skinner property that surrounds the dump. She recalled her father first utilizing the site as a dump, when she was a little girl during the 1950's.

During that time, **Rumpke** hauled a considerable amount of general refuse, boxes of clothes and sets of silverware into the site, with the refuse being the primarily debris.

She stated a paint company in Redding, Ohio, whose name she could not recall, hauled a great deal of empty barrels containing paint residue, which were disposed of at the site.

She was under the impression that the **U.S. Army** had , and possibly **Kings Mill**, making gun powder for the military. As a child, she often recalled "someone important" from the **Army** at the site, dealing with her father on an extensive basis. She was not certain what they dumped at the site, but stated there were numerous green cans, the size of gasoline containers full of oil, which were constantly at the site.

She stated that the **Army** utilized this site as a dump prior to her father conducting business there.

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Interview, Maria Skinner Roy (cont):

She recalled underground gasoline storage tanks being hauled in from **SOHIO**, now know as **BP** and the **Shell Oil Company**.

She identified a fast food restaurant known as **Royal Castle**, which is similar to White Castle's, as previously being located in the vicinity of the landfill. She stated there were two restaurants in the area and the debris from the torn down buildings was hauled into the landfill.

There was a large ice cream store, similar to the United Dairy Farmer, which went out of business, and hauled a significant amount of syrup, pineapple and strawberry mix into the site.

John Bushelman Construction utilized the site from the 1960's, until one year before the dump was closed. To the best of her knowledge, **Bushelman** deposited demolition debris and blacktop debris from doing work on the streets in Sharonville, Ohio.

She recalled seeing numerous engine parts with yellow sulphur and a white powder on them in the dump during the 1950's and 1960's, but she was not certain where they came from.

During the 1960's, she recalled **Hallmark** disposing figurines at the site.

The **Merrell Chemical Company**, possibly in Reading, utilized the site during the 1960's, and hauled barrels into the landfill. She was not certain what the contents of the barrels were, or if this company is still in existence.

To her recollection, the majority of the barrels from any entity were disposed of at the site during 1959 through 1969. She recalled a great deal of barrels being hauled into the site, the majority of the contents were emptied into the landfill, and the barrels were taken back out for resale.

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Ray Skinner Interview Excerpts

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Re-Interview, Ray Skinner:

On July 28, 1993, Ray Skinner was contacted and re-interviewed. Skinner indicated that he would speak only with this OMI representative, as he no longer trusted anyone else having anything to do with his site.

As previous reports reflect, Ray Skinner has denied any knowledge of a connection between **Chem-Dyne** and the Skinner Site. He has also denied knowledge of **Chem-Dyne's** operations as a whole [SEE REPORT #2, PAGE 30 AND REPORT #3, PAGE 16].

Previous reports also reflect an interview with [SEE REPORT #2, PAGE 72] who stated that Ray Skinner did runs from the **Chem-Dyne** site, picking up numerous barrels, and disposing of them at the Skinner Site. [redacted] stated that Ray Skinner was also instrumental in covering the lagoon prior to the EPA's arrival in 1976.

Ray Skinner initially stated that he and his brother, John, loaded barrels from **Chem-Dyne**. Before he could tell where they were taken, he recanted, stating that he could not recall whether he assisted in loading barrels or not.

He advised that he did "crane work" at **Chem-Dyne**, and also steam cleaned tankers at the **Chem-Dyne** site. He stated that the residue of which ran into the river behind **Chem-Dyne**.

He related that he and John Skinner went on one trip involving picking up tankers from **Chem-Dyne** and taking them to Seymour, Indiana, at a tank farm located on Route 52. The tankers were disposed of at a private landfill in Indiana, but he could not recall the name of the fill.

[NOTE: Previous reports indicated that on the Friday during Easter weekend in 1976, the EPA attempted to examine the site, the lagoon in particular. They were stopped by the Skinner family. When the EPA returned on the following Monday, the lagoon had been completely covered].

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Re-Interview, Ray Skinner (cont):

Skinner was asked who, besides himself, was involved in covering up the lagoon in 1976. He identified , John Skinner, **John Bushelman**, and several of **John Bushelman's** men. He stated **John Bushelman** brought in several truckloads of demolition material, which was first placed into the lagoon, and later covered with dirt.

The lagoon was also filled with ink from **Levis Ink**, as well as a thick liquid substance utilized to soak railroad ties.

He advised that covering the lagoon took an entire day, with the men beginning at approximately 9 a.m. or 10 a.m., and having it completely covered by night fall.

During the previous interview with [SEE REPORT #2, PAGE 72], he stated that there were two 40-ton tankers, filled with a white chemical substance, from **Martin Marietta**. These tankers were taken by and John Skinner from the **Chem-Dyne** site and buried in sand around the parameter at the Skinner Site.

Skinner was asked about the tankers taken from **Martin Marietta** to the Skinner Site, and if they were, in fact, buried on the property. He denied any knowledge of the tankers buried at the site, but added that if there were, would have full knowledge of their whereabouts.

He stated that and **Junior Robertson** had full knowledge of John Skinner's involvement with **Chem-Dyne**, as they too were associated with hauling from **Chem-Dyne**.

Skinner suggested that he may be able to get to talk with OMI's representative, and offered to be present during the conversation. He stated that may be more willing to talk if he were offered "immunity".

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Re-Interview, Ray Skinner (cont):

Ray Skinner also stated in his previous interview [SEE REPORT #2, PAGE 72] that during the "Chem-Dyne Era", he, and John and Ray Skinner made a great deal of money hauling for **Chem-Dyne**. He added that Ray Skinner had purchased a new Lincoln and John Skinner had purchased a white El Dorado during the mid to late 1970's.

It should be noted that both of these vehicles are still on the Skinner Site. Ray had advised that his Lincoln was a 1967 to 1968 model, which he purchased while working at the railroad. This vehicle appears to be a 1975 to 1977 model.